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ATTORNEY'S DOCKET NUMBER: 2003946-0091 (IKKI/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daun, *et al.* Examiner: TBA
Serial No.: 10/500,840 Art Unit: 1614
Filed: July 7, 2004
Corresp. to Int. Appl. No.: PCT/US03/00366; Filed: January 7, 2003
For: DEAZAPURINES AND USES THEREOF

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to : Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
March 28, 2006	
Date	Signature
	Mary B. Wilson
Typed or Printed Name of person signing certificate	

TRANSMITTAL LETTER

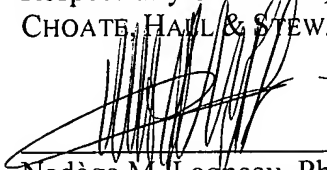
Enclosed herewith please find the documents listed below:

1. Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§1.56, 1.97 and 1.98 (5 pages);
2. Form PTO-1449 (2 pages);
3. Cited Art (8 References);
4. Return Postcard.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully Submitted,
CHOATE, HALL & STEWART LLP

Date: March 28, 2006


Nadège M. Lagneau, Ph.D.
Reg. No. 51,908

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STATEMENT UNDER 37 C.F.R. §§ 1.56, 1.97, AND 1.98

Pursuant to the duty of disclosure under 37 C.F.R §§ 1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Type of Statement

The present Information Disclosure Statement is:

- ☐ An *original* Information Disclosure Statement; or
- ☒ A *supplemental* Information Disclosure Statement.

Compliance with 37 CFR § 1.97

The present Information Disclosure Statement is being filed:

- ☒ Pursuant to 37 CFR § 1.97(b); no fee or certification is required:
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- ☒ Before the mailing of a first Office action on the merits; or

☐ Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

☐ Pursuant to 37 CFR § 1.97(c) after the dates listed above but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *either*:

☐ Certifies that *either*:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement; or

☐ Includes herewith the fee set forth in § 1.17(p),

☐ Pursuant to 37 CFR § 1.97(d), after the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *both*:

☐ Certifies that *either*:

- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement; and
- ☐ Includes herewith the fee set forth in § 1.17(p).

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- ☒ A copy of each cited reference not indicated with an asterisk is included;
- ☐ Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure

Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the

following patent application that is relied upon in the present case for an earlier effective filing date under 35 USC § 120:

Serial Number	Filing Date	Status

- ☐ Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

- ☐ Does not contain non-English language citations;
- ☐ Includes one or more translations of a non-English citation; or
- ☒ Does contain non-English language citations, of which an English language

abstract is provided (See front page of WO 01/58900).

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) .

The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 USC § 102.

It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;


2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and

3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully Submitted,
CHOATE, HALL & STEWART LLP

Date: March 28, 2006


Nadège M. Lagneau, Ph.D.
Reg. No. 51,908

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Form PTO-1449 (REV. 8-83)		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket: 2003946-0091 (IKKI/US)		In re Application No. 10/500,840	
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				Applicant: Daun, et al.			
				Filing Date: July 7, 2004		Group: 1614	
U.S. PATENT DOCUMENTS							
Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass		
U.S. PATENT APPLICATIONS							
Examiner's Initials:	Serial Number:	Applicant:	Filing Date:	Group:	Art Unit:		
FOREIGN PATENT DOCUMENTS							
Examiner's Initials	Document No.	Country	Date	Translation			
				Yes	No		
1.	EP0434405	Europe	June 26, 1991				
2.	† WO 01/58900	PCT	August 16, 2001		X		
OTHER DOCUMENTS							
Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)						
3.	Abrahamsen, et al., "Cytokines and Bone Loss in a 5-Year Longitudinal Study—Hormone Replacement Therapy Suppresses Serum Soluble Interleukin-6 Receptor and Increases Interleukin-1-Receptor Antagonist: The Danish Osteoporosis Prevention Study" <i>Journal of Bone and Mineral Research</i> : 15 (8): 1545-1554, 2000.						
4.	Azuma, et al., "Tumor Necrosis Factor- α Induces Differentiation of and Bone Resorption by Osteoclasts" <i>Journal of Biological Chemistry</i> 275(7): 4858-4864, 2000.						
5.	Cain, et al., "p-38 MAPK Inhibition Decreases TNF- α Production and Enhances Postischemic Human Myocardial Function" <i>Journal of Surgical Research</i> 83 (1): 7-12, 1999.						
6.	Koyano, et al., "Effects of FR167653 on Ischemia-reperfusion Injury: Evaluation Through Preservation and Transplantation in Canine Hearts" <i>J. Heart Lung Transplant</i> 17 (12): 1247-54, 1998.						
7.	Souza, et al., "Effects of Inhibition of PDE4 and TNF- α On Local And Remote Injuries Following Ischaemia And Reperfusion Injury" <i>British Journal of Pharmacology</i> 134 (5): 985-994, 2001.						

Form PTO-1449 (REV. 8-83) SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		U.S. Department of Commerce Patent and Trademark Office	Atty. Docket: 2003946-0091 (IKKI/US)	In re Application No. 10/500,840
		Applicant: Daun, et al.		
		Filing Date: July 7, 2004		Group: 1614
8.	Copy of International Search Report for Related International Application No: PCT/US2004/000293.			
EXAMINER	DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.				

† Cumulative with EP1256582 cited in a previous IDS.